

**OPINION
52-103**

August 20, 1952 (OPINION)

STATE SEED DEPARTMENT

RE: Potato Dealer's Bond

In yours of August 2, 1952, you ask whether arrangements can be made to permit a continuous bond and license rather than dealers having to go through the formality of making application each year.

We have read chapter 4-11 of the North Dakota Revised Code of 1943 and notice that section 4-1103 provides for the requirements a potato dealer must meet before being eligible for a license.

We also note by section 4-1106 that it specifically provides that all licenses shall expire on June thirtieth of each year.

Reading that chapter as a whole, it is our opinion that the state seed commissioner is charged with having the information necessary under the chapter and having personal knowledge of the conditions under which each dealer is operating. The new license, therefore, is notice to the public that the dealer is in sound financial circumstances and is otherwise qualified to do business as a wholesale potato dealer.

It is, therefore, our opinion that a continuous bond and license are not permitted under existing statutes.

ELMO T. CHRISTIANSON

Attorney General